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VIA ECF

The Honorable Naomi Reice Buchwald
United States District Court Judge, Southern District of New York
Daniel Patrick Moynihan United States Courthouse
500 Pearl Street
New York, NY 10007-1312

Re: *Real Selling Group LLC v. ESN Group, Inc.*
SDNY Case No. 1:20-cv-01468

Dear Judge Buchwald:

I am counsel for Defendant ESN Group, Inc. and I write in response to Plaintiff's letter motion of today's date requesting leave for the late filing of his opposition to Defendant's motion to dismiss.

Defendant takes no position on whether the Court should grant the requested leave for late filing but notes that Defendant's moving papers were filed 104 days ago.

Defendant does oppose Plaintiff's request that Defendant meet and confer with Plaintiff before seeking to file a sur-reply. If Defendant identifies issues in Plaintiff's reply brief that call for a sur-reply, a meet-and-confer process could not plausibly resolve those issues, and instead would serve only to further delay the resolution of Defendant's motion. During the October teleconference, the Court suggested that, if Defendant believes a sur-reply is warranted, it submit a letter motion to the Court seeking leave to file its sur-reply. Defendant respectfully submits that the Court's suggested approach remains appropriate.

Respectfully Submitted,

/s/ Stephen E. Paffrath

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